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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Michalovich et al.

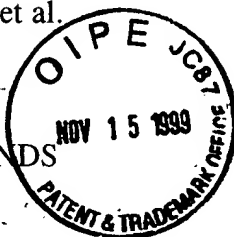
: Art Unit: 1641

Serial No.: 09/240,410

: Examiner: J. Graser

Filed: January 29, 1999

For: NOVEL COMPOUNDS



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NOV 22 1999

TECH CENTER 1600/2900

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Responsive to the Official Action dated August 10, 1999, please amend the above-identified application as follows and consider the following remarks:

IN THE CLAIMS:

Please cancel claims 1, 3-5, 9 and 12, as being drawn to the non-elected invention. Please amend the claims as follows:

2. (Amended) An isolated polynucleotide comprising a polynucleotide sequence that has at least 95% identity to a nucleotide sequence which encodes a polypeptide comprising the amino acid sequence of SEQ ID NO:2, wherein said polynucleotide sequence may include up to n_n nucleotide alterations over the entire region coding for SEQ ID NO:2, wherein n_n is the maximum number of nucleotide alterations and is calculated by the formula

$$n_n \leq x_n - (x_n \cdot y),$$

in which x_n is the total number of nucleotides which encode the amino acid sequence of SEQ ID NO:2 and y has a value of 0.95, wherein any non-integer product of x_n and y

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In re application of: David Michalovich et al.
 Serial No.: 09/240,410
 Filed: January 29, 1999
 For: NOVEL COMPOUNDS



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ASSISTANT COMMISSIONER FOR PATENTS
 Washington, D.C. 20231

Sir:
 Transmitted herewith is an amendment in the above-identified application

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- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest Number Previously Paid for	Present Extra	Rate	Addt. Fee		Rate	Addit. Fee
Total	14	Minus	20	0	x \$9	\$	OR	x \$18	\$
Indep	6	Minus	4	2	x \$39	\$	OR	x \$78	\$156.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim					+\$130	\$	OR	+\$260	\$
					TOTAL	\$	OR	TOTAL	\$156.00
					ADDIT. FEE				

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ Please charge my Deposit Account No. 19-2387 the amount of **\$156.00**. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ is enclosed.
- ☒ The Assistant Commissioner for Patents is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2387. A duplicate copy of this sheet is enclosed.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

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Respectfully submitted,
RATNER & PRESTIA

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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: November 10, 1999

Barbara J. Mang

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